

UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

THE SHANE GROUP, INC., BRADLEY )  
A. VENEBERG, MICHIGAN REGIONAL )  
COUNCIL OF CARPENTERS )  
EMPLOYEE BENEFITS FUND, )  
ABATEMENT WORKERS NATIONAL )  
HEALTH AND WELFARE FUND, )  
MONROE PLUMBERS & PIPEFITTER )  
LOCAL 671 WELFARE FUND, and )  
SCOTT STEELE, )

Plaintiffs, )

v. )

BLUE CROSS BLUE SHIELD OF )  
MICHIGAN, )  
Defendant. )

Case No. 2:10-cv-14360-DPH-MKM

**DECLARATION OF SHANNON R. WHEATMAN, PH.D. ON AMENDMENT TO  
NOTICE PLAN**

I, Shannon R. Wheatman, being duly sworn, hereby declare as follows:

1. I am president of Kinsella Media, LLC (“KM”), an advertising and notification firm in Washington, D.C. specializing in the design and implementation of class action and bankruptcy notification programs. My business address is 2001 Pennsylvania Avenue NW, Suite 300, Washington, D.C. 20006. My telephone number is (202) 686-4111.

2. In the above referenced matter, *The Shane Group v. Blue Cross Blue Shield of Michigan*, I was asked to review Notices and design a Notice Plan to inform class members about their rights with respect to a new class action settlement (“Settlement”) and the availability of documents that were previously sealed.

3. After I submitted my previous declaration, *Declaration of Shannon R. Wheatman, Ph. D, on Adequacy on Notice Plan* on October 11, 2016, KM learned that one of the proposed

publications, *National Geographic*, will be changing its design and significantly increasing its advertising rates. Also, this publication recently refused to publish a legal notice in its January edition for another case, *In re Automotive Parts Antitrust Litigation*. Although the publication said it would accept this notice in the March 2017 edition, I am concerned that they may not accept the notice at the time KM is approved to purchase advertising space. To avoid this issue, we recommend modifying the Notice Plan.

4. KM recommends removing publication in *National Geographic* and increasing the geo-targeted Internet advertising to 15,100,000 gross impressions<sup>1</sup> (instead of the previously estimated 11,042,000 geo-targeted gross impressions).

5. If amended as proposed herein, the Notice Plan is expected to continue to reach<sup>2</sup> 82.9% of Michigan Adults 18+ and would increase the average frequency<sup>3</sup> from 2.3 to 2.6 times. The change would also reduce the total cost of the Notice Plan by approximately \$19,000.

6. It is my opinion that this modification noted above would have no impact on the efficacy of the Notice Plan and that the revised Notice Plan would continue to provide the best notice practicable.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Washington, D.C. this 21st day of November 2017.



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SHANNON R. WHEATMAN

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<sup>1</sup> Gross impressions are the total number of times a media vehicle containing the Notice is seen. This figure does not represent the total number of unique viewers of the Notice, as some viewers/readers will see the Notice in more than one media vehicle.

<sup>2</sup> *Reach* is the estimated percentage of a target audience that is exposed to the notice one or more times through a specific media outlet or combination of media outlets within a given period.

<sup>3</sup> *Frequency* is the estimated average number of opportunities an audience member has to see the notice.

**CERTIFICATE OF SERVICE**

I hereby certify that on November 21, 2016, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to all filing users indicated on the Electronic Notice List through the Court's electronic filing system.

I also certify that I will serve copies via First Class U.S. Mail and e-mail, upon all other parties indicated on the Manual Notice List.

/s/ Daniel C. Hedlund  
Daniel C. Hedlund  
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